

Application No. 09/988,548
Applicant: Bernd LUHMANN et al
Amendment Under 37 CFR §1.116 dated June 24, 2004

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

REMARKS/ARGUMENTS

Applicants respectfully request reconsideration and allowance of this application in view of the following comments.

Claims 12-23 were rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-12 of prior U.S. Patent No. 6,372,335. The Examiner notes that "the claims of the patent anticipate applicants' claims, which is believed to be the proper standard." In response, Applicants submit that anticipation is *not* the proper standard. Rather, the proper standard is whether the claims of the two cases are coextensive. Since the claims of the two cases here are